

Amendment and Response

Serial No.: 10/674,174

Confirmation No.: 1946

Filed: 29 September 2003

For: CLOSURE SYSTEM AND METHOD OF MANUFACTURE

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Remarks

The Office Action mailed 19 May 2005 has been received and reviewed. Claim 1 has been amended, claims 4-6 and 16-28 canceled, and new claims 29-43 presented. As a result, claims 1-3, 7-15, and 29-43 are now pending in the present application. Reconsideration and withdrawal of the rejections are respectfully requested.

Information Disclosure Statement

Applicants submitted an Information Disclosure Statement on 14 December 2004, which was received by OIPE on 21 December 2004 (as evidenced by the stamp on the attached 1449 form, marked as Exhibit A). Applicants have not received a copy of this 1449 form, marked as being considered and initialed by the Examiner. Pursuant to the provisions of M.P.E.P. §609, Applicants respectfully request consideration of each of the documents listed on the attached 1449 form, and request that a copy of the 1449 form, marked as being considered and initialed by the Examiner, be returned with the next Official Communication.

Affirmation of the Provisional Election

The Examiner issued a Restriction Requirement under 35 U.S.C. 121 in the above-identified application, grouping the claims as follows: Group I, Claims 1-15 drawn to a closure system and Group II, Claims 16-28 drawn to a method of making a closure system. A provisional election to prosecute claims 1-15, Group I, was made in response to a telephone conversation between the Examiner and William J. Bond on 4 May 2005. The provisional election to prosecute Group I is herein affirmed without traverse.

As a result of this election, claims 16-28 have been canceled as drawn to the non-elected invention. Applicants do, however, reserve the right to present the subject matter of claims 16-18 in a divisional application.

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New Claims 29-43

Applicants have presented new claims 29-43 in this response. Support for new claims 29 and 30 can be found in one or both of the claims as originally filed and the specification as filed at, e.g., p. 8, lines 22-28.

The 35 U.S.C. §102 Rejections

Claims 1, 2, 4, and 6-14 were rejected under 35 U.S.C. §102(b) as being anticipated by Polski et al. (U.S. Patent No. 5,599,601). Claims 4 and 6 have been canceled, leaving claims 1, 2, and 7-14 pending and subject to this rejection, which Applicants respectfully traverse.

Applicants respectfully submit that the amendment inserting the recitations of claim 6 into claim 1 have rendered this rejection moot. As amended, claim 1 now recites that the bonding tape is both adhesively attached and welded to the base tab and the carrier tab. Polski et al. does not disclose this combination.

Reconsideration and withdrawal of the rejection of claims 1, 2, 4, and 6-14 in view of Polski et al. are, therefore, respectfully requested.

Claims 1-15 were rejected under 35 U.S.C. §102(b) as being anticipated by European Patent Document EP 0 669 121 A1. This rejection is respectfully traversed.

With respect to independent claim 15, Applicants respectfully submit that EP 0 669 121 A1 does not disclose the combination of both adhesive attachment and welding as recited in original claim 15.

With respect to independent claim 1 and its dependent claims 2, 3, and 7-14, Applicants respectfully submit that the amendments to claim 1 have rendered this rejection moot. As amended, claim 1 now recites that the bonding tape is both adhesively attached and welded to the base tab and the carrier tab. Polski et al. does not disclose this combination.

For at least the above reasons, Applicants respectfully reconsideration and withdrawal of the rejection of pending claims 1-3 and 7-15 in view of EP 0 669 121 A1.

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Summary

It is respectfully submitted that the pending claims 1-3, 7-15, and 29-43 are in condition for allowance and notification to that effect is respectfully requested. The Examiner is invited to contact Applicants' Representatives, at the below-listed telephone number, if it is believed that prosecution of this application may be assisted thereby.

Respectfully submitted for
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17 OCT. 2005

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CERTIFICATE UNDER 37 CFR §1.8:

The undersigned hereby certifies that the Transmittal Letter and the paper(s), as described hereinabove, are being transmitted by facsimile in accordance with 37 CFR §1.6(d) to the Patent and Trademark Office, addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 17th day of October, 2005, at 1:49 p.m. (Central Time).

By: Rachel Englehardt-Gebhardt
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